

WILSON TURNER KOSMO LLP

Vickie E. Turner (SBN 106431)
550 West C Street, Suite 1050
San Diego, California 92101
Telephone: (619) 236-9600
Facsimile: (619) 236-9669
E-mail: vturner@wilsonturnerkosmo.com

WILLIAMS & CONNOLLY LLP

Douglas R. Marvin (Admitted *Pro Hac Vice*) (D.C. Bar No. 933671)
Eva Petko Esber (Admitted *Pro Hac Vice*) (D.C. Bar No. 395952)
Paul E. Boehm (Admitted *Pro Hac Vice*) (D.C. Bar No. 493245)
725 Twelfth Street, N.W.
Washington, D.C. 20005-5901
Telephone: (202) 434-5000
Facsimile: (202) 434-5029
E-mail: dmarvin@wc.com
E-mail: eesber@wc.com
E-mail: pboehm@wc.com

ATTORNEYS FOR DEFENDANT
MERCK SHARP & DOHME CORP.

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

In re: INCRETIN-BASED THERAPIES
PRODUCTS LIABILITY LITIGATION

Case No. 13-md-2452-AJB-MDD

**DEFENDANTS' JOINT NOTICE
OF MOTION AND JOINT
MOTION FOR SCHEDULING
ORDER RE CAUSATION**

Date: February 18, 2014
Time: 9:00 a.m.

Judge: Hon. Anthony J. Battaglia
Courtroom: 3B

Magistrate: Hon. Mitchell D. Dembin

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**
2 **PLEASE TAKE NOTICE** that on February 18, 2014, at 9:00 a.m. in
3 Courtroom 3B of the United States District Court for the Southern District of
4 California, located at 221 West Broadway, San Diego, California, Merck Sharp &
5 Dohme Corp. (“Merck”), Amylin Pharmaceuticals, LLC (“Amylin”), Eli Lilly and
6 Company (“Lilly”) and Novo Nordisk Inc. (“Novo”) (collectively, “defendants”) will
7 and hereby do move the Court, pursuant to Federal Rules of Civil Procedure 16 and
8 26, for an Order instructing the parties to confer on a schedule for the management of
9 this litigation that addresses “general causation” expert discovery and related *Daubert*
10 issues early in this litigation. This Joint Motion for Scheduling Order Regarding
11 Causation is based upon the allegations in the Master Complaint, this Joint Notice and
12 Joint

13 Motion, the accompanying Memorandum of Points and Authorities, any Reply
14 filed in support of this Joint Motion, and upon such other evidence and oral argument
15 as may be received by the Court.

16 Dated: February 10, 2014

Respectfully Submitted,

WILSON TURNER KOSMO

By: s/ Vickie E. Turner

Vickie E. Turner

Attorney for Defendant

Merck Sharp & Dohme Corp.

DOUGLAS R. MARVIN

F. LANE HEARD III

STEPHEN D. RABER

PAUL E. BOEHM

WILLIAMS & CONNOLLY LLP

By: s/ Douglas R. Marvin

Douglas R. Marvin

Attorneys for Defendant

Merck Sharp & Dohme Corp.

LOREN BROWN
HEIDI LEVINE
RAYMOND WILLIAMS
DLA PIPER

By: s/ Heidi Levine
Heidi Levine
Attorneys for Defendant
Novo Nordisk Inc.

RICHARD B. GOETZ
AMY J. LAURENDEAU
O'MELVENY & MYERS LLP

By: s/ Amy J. Laurendeau
Amy J. Laurendeau
Attorneys for Defendant
Amylin Pharmaceuticals, LLC

NINA M. GUSSACK
KENNETH J. KING
PEPPER HAMILTON LLP

By: s/ Kenneth J. King
Kenneth J. King
Attorneys for Defendant
Eli Lilly and Company

SIGNATURE ATTESTATION

Pursuant to Section 2.f.4 of the Court's CM/ECF Administrative Policies, I hereby certify that authorization for the filing of this document has been obtained from each of the other signatories shown above and that all signatories have authorized placement of their electronic signature on this document.

Bv: s/ Vickie E. Turner
Vickie E. Turner